

E-Filed 10/14/11

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

PATRICK A. MARTINEZ,
Plaintiff,

No. C 11-4368 RS (PR)

ORDER OF DISMISSAL

v.

CALIFORNIA DEPARTMENT OF
CORRECTIONS AND REHABILITATION,
et al.,

Defendants.

This is a federal civil rights action filed pursuant to 42 U.S.C. § 1983 by a *pro se* state prisoner. Plaintiff has failed to comply with a Court order to (1) file a complete application to proceed *in forma pauperis* ("IFP"), or (2) pay the filing fee of \$350.00, within 30 days. Accordingly, the action is DISMISSED without prejudice to plaintiff (1) filing a complete IFP application, which, in addition to the IFP form itself, includes a Certificate of Funds signed by an authorized prison officer and a statement of funds showing transactions for the last six months, or (2) paying the filing fee. Plaintiff's motion to proceed IFP (Docket No. 2) is DENIED as insufficient. The Clerk shall terminate Docket No. 2, enter judgment in favor of defendants, and close the file.

IT IS SO ORDERED.

DATED: October 14, 2011


RICHARD SEEBORG
United States District Judge

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JUDGMENT